Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
April 28, 2018	Century Sheriff's Station	☐	☐

Incident Information

URN: 017-11115-2115-055	Date: July 22, 2017 Time: 0211
City or Station: Lynwood CA	Nature of Incident: Deputy Jimenes attempted to detain a person described in a man-with-a-gun call. The suspect reached for his waistband and a deputy involved shooting occurred.
Location: Abbott Road and Atlantic Avenue (Intersection)	

Location Type (*check one or more*):
☐ Backyard
☐ Beach
☐ Business
☐ Freeway
☐ Industrial
☐ Park
☐ Parking Lot
☐ Residence
☐ Rural
☐ School
☑ Street
Other:

Lighting (*check only one*):
☑ Darkness
☐ Daylight
☐ Other
☑ Street Lights

Weather (*circle only one*):
☑ Clear
☐ Cloudy
☐ Fog
☐ Rain

Distance:

Total # of Shots Fired by Deputy:

Total # of Shots Fired by Suspect:

Incident Type (*check one or more*):
☐ Accidental
☑ Armed Person
☑ Fleeing Suspect
☐ Foot Pursuit
☐ Gun Take Away
☐ Moving Vehicle
☐ Sniper/Ambush
☐ Startle
☐ Struggle Involved
☑ Traffic Stop
☐ Unarmed Person
☐ Unintentional
☐ Vehicle Pursuit
☐ Warrant Service
☐ Warning Shot
Other:

Initiated by (*check only one*):
☐ Arrest Warrant
☑ Call
☐ Observation
☐ One Person Unit
☐ Other
☐ Search Warrant
☐ Two Person Unit

Prior Activity (*check only one*):
☐ Detective
☐ Inmate Transport
☐ Other
☑ Routine Patrol

Aero Unit? ☑ Canine Unit? ☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*check only one*)	ShiftType (*check only one*)
[redacted]	McDonald	Cameron	J.	☑ EM ☐ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty
[redacted]	Quintero	Christopher	J.	☑ EM ☐ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty
[redacted]	Gonzales	David	M.	☑ EM ☐ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(*check one or more*)
[redacted]	Rodriquez	Troy	W.	☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting
				☐ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	[redacted]	[redacted]	[redacted]

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Lopez	Angelo	

PSTD Use Only
SH # 2431912

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Galdamez	Carlos	E.	[redacted]	[redacted]	(323) 568-4800	[redacted]
Parker	Kyle	R.	[redacted]	[redacted]	(323) 568-4800	[redacted]
Rodriquez	Troy	W.	[redacted]	[redacted]	(323) 568-4800	[redacted]

Officer Involved Shooting

JRN: 017-11115-2115-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
07/22/2017	0505	06/06/2018	

Employee #	Last Name	First Name	M.I.
[redacted]	Hoyt	Jonathan	K.
[redacted]	Lopez	Mark	A.
[redacted]	Adams	John	D.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	OO	ZZ	WW			NN	
E#1	S#1	FH	SW	9	Y	Y	NN	

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 017-11115-2115-055

Involved Employee

E 1

Employee # [redacted] | Last Name: Jimenes Jr. | First Name: Jesus | M.I.

Sex: M | Race: H | Rank: Deputy | Unit Assignment: Century Station | Work Assignment (Unit #, Module, etc.): 212H

ShiftTime (*circle only one*): ☑ EM ☐ PM ☐ Day | ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty | Intoxication/Drug Usage? ☐ | Substance Used: None

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☑

Hrs of sleep prior to shooting: 7 | Duty Time (hrs): [redacted] | Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest | Other Factors: None

Age: [redacted] | Height: 600 | Weight: 220

Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted]

Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? [redacted] | Number of Prior Shootings: [redacted] | Directed Force: [redacted]

Weapons Fired Brand: Smith & Wesson | Caliber: 9mm | # Shots: 1 | Weapons Fired Brand: | Caliber: | # Shots:

Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted]

Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted]

E __

Employee # | Last Name | First Name | M.I.

Sex: | Race: | Rank: | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day | ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest | Other Factors:

Age: | Height: | Weight:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings: | Directed Force: ☐

Weapons Fired Brand: | Caliber | # Shots | Weapons Fired Brand: | Caliber | # Shots

Field Training Officer Emp # | Last Name | First Name | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

E __

Employee # | Last Name | First Name | M.I.

Sex: | Race: | Rank: | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day | ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest | Other Factors:

Age: | Height: | Weight:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings: | Directed Force: ☐

Weapons Fired Brand: | Caliber | # Shots | Weapons Fired Brand: | Caliber | # Shots

Field Training Officer Emp # | Last Name | First Name | M.I.

Field Training Officer Emp # | Last Name | First Name | M.I.

See Other Side

Officer Involved Shooting
Suspect Information

URN: 017-11115-2115-055

Suspect Information

S 1

Last Name: Bernal		First Name: Roberto	M.I. B.
AKA Last Name: "Casper"		First Name:	M.I.
Sex: M Race: H	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 45 D.O.B. 01/30/1972	Height: 508 Weight: 155	FBI # [redacted]	CII # [redacted]
Booking # 5050543	Primary Charge: 245(d)(1) PC	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☑	Apprehended? ☑	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make Model: Year:	Parole:	Probation: [redacted]	Prior Felony Conviction: [redacted]

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make Model: Year:	Parole:	Probation:	Prior Felony Conviction:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make Model: Year:	Parole:	Probation:	Prior Felony Conviction:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make Model: Year:	Parole:	Probation:	Prior Felony Conviction:

INVESTIGATIVE SUMMARY

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

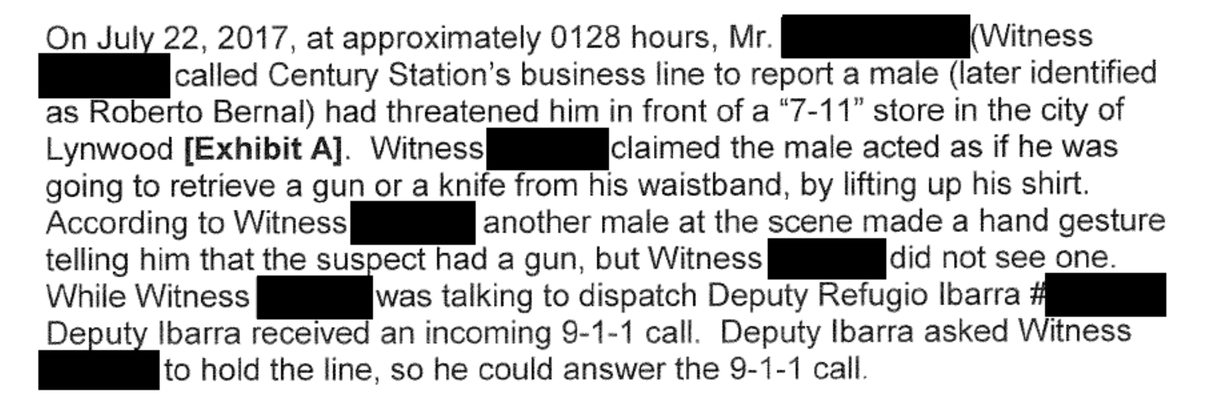
INVESTIGATIVE SUMMARY

INCIDENT:	**On-duty, Non-Hit Shooting**
IAB FILE NUMBER:	**SH 2431912**
URN#:	**017-11152-2115-055**
DATE/TIME:	**July 22, 2017, 0211 hours**
LOCATION:	**Abbott Road and Atlantic Avenue**
	Lynwood, California

On Saturday, July 22, 2017, Internal Affairs Bureau (IAB) investigators Sergeants Jonathan Hoyt, Mark Lopez, and John Adams responded to Atlantic Avenue and Abbott Road, in the city of Lynwood, to investigate an on-duty non-hit shooting incident involving Deputy Jesus Jimenes. Sergeant Hoyt was the handling investigator.

Sergeant Hoyt confirmed the watch commander, Sergeant Angelo Lopez #[redacted] took reasonable steps to ensure the involved and witness personnel did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators. Sergeant Hoyt also ensured the watch commander knew the involved and witness personnel should not collectively consult with their representative. In addition, Sergeant Hoyt verified the ~~incident~~ watch commander took reasonable steps to have the involved and witness personnel remain in the company of a supervisor until they provided a statement to the assigned investigators.

SYNOPSIS



On July 22, 2017, at approximately 0128 hours, Mr. [redacted] (Witness [redacted] called Century Station's business line to report a male (later identified as Roberto Bernal) had threatened him in front of a "7-11" store in the city of Lynwood **[Exhibit A]**. Witness [redacted] claimed the male acted as if he was going to retrieve a gun or a knife from his waistband, by lifting up his shirt. According to Witness [redacted] another male at the scene made a hand gesture telling him that the suspect had a gun, but Witness [redacted] did not see one. While Witness [redacted] was talking to dispatch Deputy Refugio Ibarra #[redacted] Deputy Ibarra received an incoming 9-1-1 call. Deputy Ibarra asked Witness [redacted] to hold the line, so he could answer the 9-1-1 call.

IAB Note: The 9-1-1 call was not related to this incident. [redacted] **[Exhibit A, Business Line 1st Call, Audio Counter @ 02:02]**.

At 0159 hours, Witness [redacted] called Century Station's business line and talked to Deputy Ibarra a second time. This time, Witness [redacted] claimed a patrol car came by, but the officer did not do anything to assist him.

IAB Note: There was no call for service generated after Witness [redacted] talked to Deputy Ibarra at 0128 hours. Witness [redacted] apparently hung up the phone before any information could be obtained from him. The location where Witness [redacted] called from is bordered by South Gate Police Department. It should be noted the uniform worn by South Gate Police Department officers is similar to the Los Angeles County Sheriff's Department Class-A uniform.

Witness [redacted] reported the male with the gun rode his bicycle northbound on Atlantic Avenue. Witness [redacted] reiterated the suspect had threatened him with a gun. He indicated the suspect was using a payphone in front of Church's Chicken restaurant. The suspect was carrying a backpack. Witness [redacted] described the suspect (Suspect Bernal) as a Hispanic male, 45 years old, wearing a black shirt and black pants. Deputy Ibarra generated a call for service under Tag #CEN17203-0017.

Deputy Jesus Jimenes, #[redacted] (Unit 212H), was the handling deputy on this call. Deputy Rafael Cardenas, #[redacted] (Unit 212H1), received the assigned assist. Deputy Kyle Parker, #[redacted] (Unit 212F), assigned himself to the call.

IAB Note: Deputy Cardenas was unable to respond since he was busy [redacted] under URN 17-11151-21 (Tag CEN17203-0012). He was not available until 0227 hours.

While Witness [redacted] remained on the phone with Deputy Ibarra, he saw some units follow Suspect Bernal. He lost sight of them, as the units drove out of his view. Shortly thereafter, he heard what he believed to be a single gunshot. He became scared; however, Deputy Ibarra persuaded him to remain on the phone and to stay where he was until a deputy contacted him. Witness [redacted] complied.

According to Deputies Jimenes and Parker, they first coordinated their response on the radio **[Exhibit B]**, and subsequently in person when they arrived on scene. They travelled northbound Atlantic Avenue to look for the suspect and saw two Hispanic males fitting the given physical description. The males were standing at the corner of Imperial Highway and Atlantic Avenue. From a distance of a few hundred yards, the deputies saw both Hispanic males leave the location, going northbound on Atlantic Avenue, along the east sidewalk. The deputies

noticed one male was riding a bicycle, while the second male was walking on the sidewalk. The deputies requested Century Station's desk personnel to check with the informant (Witness [redacted] to see which person was armed with the gun.

Once they received confirmation that the male on the bicycle (Suspect Bernal) was the one with the gun, the deputies shifted their focus to Suspect Bernal. The deputies saw Suspect Bernal cross the street at Pendleton Avenue. They momentarily lost sight of Suspect Bernal. The deputies drove to Pendleton Avenue and saw Suspect Bernal riding his bicycle on the west sidewalk, going northbound on Atlantic Avenue toward Abbott Road. Both Deputies Jimenes and Parker elected to contact Suspect Bernal, so they crossed the street. The deputies drove in tandem northbound on Atlantic Avenue, following behind Suspect Bernal, at the speed of approximately 25 mph in the number two lane of southbound Atlantic Avenue. The deputies elected to approach Suspect Bernal from this direction to maintain a position of advantage. Deputy Jimenes said if they were to drive past Suspect Bernal, going northbound in the northbound lanes of Atlantic Avenue, they would expose their left sides to him. They intended to stay behind Suspect Bernal and use their patrol cars for cover as they attempted to detain Suspect Bernal - See the route of their travel **[Exhibit C]**.

When Deputy Jimenes was within fifteen to twenty feet from Suspect Bernal's position, Deputy Jimenes yelled commands through the open driver's window, telling Suspect Bernal to stop and show his hands. Suspect Bernal looked over his shoulder at Deputy Jimenes, and appeared to be startled by the deputies' presence. Suspect Bernal reached into his pant pockets numerous times, and continued to pedal his bicycle at a slow pace for a few seconds. Suspect Bernal abruptly stopped and remained straddled over his bicycle at the southeast corner of Atlantic Avenue and Abbott Road. Suspect Bernal was "violently tugging" his waistband, bladed the right side of his body toward Deputy Jimenes, and looked over his right shoulder at the deputies.

Deputy Jimenes remained within his patrol car by the west curb line while shouting commands for Suspect Bernal to raise his hands. Deputy Parker also stopped his vehicle and stayed directly behind Deputy Jimenes' patrol car. Suspect Bernal ignored the given commands and continued to reach for his waistband. Deputy Jimenes heard Suspect Bernal say, "Gun! Gun!"

At this time, Deputy Jimenes was trying to exit his car with one leg on the ground between the apex of his open driver's door and the frame of the patrol car. Fearing Suspect Bernal was about to retrieve a gun to shoot him and/or his partner, Deputy Jimenes fired one round from his firearm through the open car window. He aimed at Suspect Bernal, but missed. Suspect Bernal immediately raised his hands and complied with Deputy Jimenes' order to get on the ground.

Deputy Parker stated the shooting occurred within two or three seconds after Deputy Jimenes gave the first command for Suspect Bernal to stop. According to Deputy Jimenes, the shooting occurred within fifteen seconds of his initial contact with Suspect Bernal. Additionally, Deputy Jimenes believed Suspect Bernal traveled a total of approximately 100 feet from the time he crossed Atlantic Avenue until the time he surrendered and lay on the ground.

After the shooting, Deputy Jimenes reassessed the situation and advised, via his radio, that he was involved in a deputy-involved-shooting incident. Deputies Jimenes and Parker maintained their positions and detained Suspect Bernal at gunpoint pending the arrival of the assisting units. Field Sergeant Troy Rodriquez, #[redacted] responded with additional deputies. They formed an arrest team and approached with a tactical shield. Suspect Bernal allowed the deputies to handcuff him without further incident.

During a field booking search, Deputy David Gonzales, #[redacted] recovered a small replica semi-automatic handgun in Suspect Bernal's right rear pant pocket. It looked like a real .380 caliber semi-automatic pistol. Deputy Gonzales also recovered a plastic zip lock baggie containing crystalize substance resembling methamphetamine from the front right coin pocket of Suspect Bernal's pants.

Fire personnel from the Los Angeles County Fire Department responded and determined Suspect Bernal was uninjured as a result of the shooting.

INVOLVED EMPLOYEE AND WORK HISTORY

Jesus Jimenes Jr, Deputy, #[redacted]
Central Patrol Division
Century Sheriff's Station

Work History

Date of Employment:	February 20, 2008
Date Assigned to Patrol/Century Station:	October 4, 2015
Date Completed Patrol Training:	[redacted]
Prior Shooting Incidents:	
Prior Founded Force Incidents:	

Equipment Worn on Person

Class "A" Uniform, Short Sleeve
Ballistic Vest
Sam Browne gun belt containing
Oleoresin Capsicum (OC) Spray
Two handcuff cases containing handcuffs
Sidearm; Smith & Wesson model M&P9, containing one ammunition magazine

Magazine pouch containing two additional magazines
Department issued portable radio
Leatherman tool
Taser
Keys
ASP expandable baton

SUSPECT INFORMATION

Suspect: Roberto Bernal, Booking #5050543
M/H, DOB: 01/30/72, 5'08," 155 lbs., brown hair/ brown eyes
Address: [redacted]
CII# [redacted] MAIN# [redacted] FBI# [redacted]

Suspect Bernal [redacted]

SUSPECT INJURIES:

None.

DEPUTY PERSONNEL INJURIES

None.

PHYSICAL EVIDENCE

All physical evidence was located and collected under the direction of Operation Safe Streets (OSS) Detectives Antonio Guillen #[redacted] Micah Lopez #[redacted] and IAB investigators. They were assisted by Scientific Services Bureau Deputy Ray Davidson #[redacted] from the Crime Lab of the Los Angeles County Sheriff's Department. For descriptions of the evidence collected and where it was located, see the Crime Scene Investigation Reports **[Exhibits D & E]**.

INVESTIGATOR'S OBSERVATIONS

Approximately three hours transpired from the time of the shooting to the time of arrival by IAB investigators.

IAB investigators noted the incident occurred at the southwest corner of Atlantic Avenue and Abbott Road. Two marked patrol cars were parked adjacent to the west curb line, facing north, in the number two lane of southbound Atlantic Avenue. Deputy Jimenes' marked patrol car (SH1485) was parked approximately thirteen (13) feet south of Suspect Bernal's bicycle, with the front

driver's door open. One 9mm bullet casing was found on the ground, between the open front door and the frame of his vehicle.

Deputy Parker's marked patrol car (SD6240) was parked approximately ten (10) feet directly behind Deputy Jimenes' patrol car. There was a bus stop bench just west of the patrol cars on the sidewalk. Suspect Bernal's bicycle was leaning against a utility power box, north of the bus bench. Miscellaneous items and a backpack were found on the sidewalk, approximately twenty-one (21) feet north of Deputy Jimenes' unit. Most businesses were closed at this intersection due to the early morning hours, except a donut shop and a "7-11" store. No witnesses were found at the open stores.

Based on the public safety statement given to Sergeant Rodriquez by Deputy Jimenes, IAB investigators learned the bullet fired by Deputy Jimenes travelled in a northwest direction, in the general vicinity of a parking lot and the donut shop on Abbott Road. Investigators were unable to locate the expended bullet or any possible damage caused by it.

WEAPON USED BY DEPUTY JIMENES

Deputy Jimenes fired one (1) round from his Department authorized, 9mm, Smith & Wesson, model M&P, semiautomatic pistol, serial number [redacted] It was equipped with a Surefire X300 Ultra flashlight. The magazine contained seventeen (17) live Luger rounds. Scientific Services Bureau, Deputy Davidson photographed and took possession of Deputy Jimenes' duty weapon. Senior Criminalist Phil Teramoto, #[redacted] of the Scientific Services Firearms Identification Section examined Deputy Jimenes' firearm and found it to be functional.

Date last qualified: [redacted]
Date last trained with weapon:

WEAPON USED BY SUSPECT BERNAL

None.

PROPERTY DAMAGE

No evidence of property damage was found.

CRIMINAL INVESTIGATION

The criminal investigation into this incident was handled by OSS Detectives Guillen and Lopez. The Los Angeles County District Attorney's Office charged Suspect Bernal with 1) brandishing a replica gun (417.4 PC); 2) resisting,

delaying or obstructing a peace officer (148(a)(1) PC); and 3) possession of a controlled substance (11377(a) HS), under case number 7CS03267.

STATEMENTS

The following narratives are intended only as a synopsis of the interviews which have been paraphrased for clarification purposes. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions.

WITNESS STATEMENTS

Witness Deputy Cameron McDonald

Deputy Cameron McDonald, #[redacted] was interviewed at Century Station. He was [redacted] on the date of this incident, and his [redacted] was Deputy Christopher Quintero #[redacted] According to Deputy McDonald, he heard radio traffic of a man-with-a-gun call. Shortly thereafter, Deputy McDonald heard a deputy saying on the radio that he was involved in a shooting incident and was now detaining a man-with-a-gun. When they arrived, Deputy McDonald took up a containment position, approximately 100 feet away from where other deputies were detaining Suspect Bernal. Once the situation was settled, he walked up to the scene and noticed Suspect Bernal was already detained in the backseat of a patrol car. Deputy Jimenes said he fired one round at Suspect Bernal, because Suspect Bernal had "pulled the gun on him or pulled a gun out of his pocket." Deputy McDonald learned Suspect Bernal was in possession of a "black pellet-type airsoft gun" and methamphetamine. Deputy McDonald saw the pellet gun in the trunk of a patrol car.

Witness Deputy Christopher Quintero

Deputy Quintero was interviewed at Century Station. Deputy Quintero heard the man-with-a-gun call on the radio. Later, he heard Deputy Jimenes broadcast emergent radio traffic saying he was involved in a shooting and detaining the suspect at gunpoint. Deputy Jimenes requested assistance on the main radio frequency. Deputies Quintero and McDonald arrived at the location in less than two minutes. They positioned themselves and their patrol car to block northbound traffic on Atlantic Avenue, just south of the shooting scene. Deputy Quintero saw Deputy Jimenes detaining Suspect Bernal at gunpoint. Suspect Bernal was lying on the ground next to a bicycle. He saw a supervisor and other deputies at the scene. He later learned the sergeant and other deputies formulated a plan to take Suspect Bernal into custody. He was not involved in the tactical approach and did not remember who was on the arrest team.

Once Suspect Bernal was handcuffed, Deputy Quintero learned from Deputies Gonzales and Carlos Galdamez (unit 214H) that a two-inch semiautomatic pistol

and a baggie of methamphetamine were recovered from Suspect Bernal's person. When Deputy Quintero assumed command of the incident, he assigned other deputies to check the area for witnesses, but found none.

Witness Deputy David Gonzales

Deputy Gonzales was interviewed at Century Station. Deputy Gonzales was working with Deputy Galdamez as unit 214H on the date in question. Deputy Gonzales heard Deputy Jimenes coordinate the call with Deputy Parker on the radio. Deputies Gonzales and Galdamez drove to the area to look for the suspect. While responding to the incident, Deputy Gonzales heard one gunshot just north of his location. He heard Deputy Jimenes advise over the radio that he fired one shot at the suspect, but missed. Deputy Jimenes also said he was detaining the suspect at gunpoint at Atlantic Avenue and Abbott Road.

Deputies Gonzales and Galdamez arrived within thirty seconds to a minute after the shooting. He saw two parked patrol cars (unit 212H -Deputy Jimenes, and unit 212F - Deputy Parker) facing in a northwesterly direction. Suspect Bernal was lying on his stomach with his hands out to his side. There was no pedestrian or vehicular traffic in the area. They stopped their vehicle approximately thirty feet south of the shooting scene, facing northbound, in the number one lane of Atlantic Avenue. He believed the following deputy personnel were on the arrest team: Deputies Jimenes, Parker, himself and an unknown male deputy. After they made the approach, Deputy Gonzales stayed on the right side of Suspect Bernal, and Deputy Parker on the left side. During a search of Suspect Bernal's person, Deputy Gonzales found a 2-inch airsoft handgun in the right rear pant pocket and a plastic bindle of methamphetamine in the right front coin pocket. The recovered air-soft handgun appeared to be real. He and Deputy Galdamez canvassed the area for witnesses, but found none.

Witness Deputy Carlos Galdamez

Deputy Galdamez was interviewed at Century Station. Deputy Galdamez was working with Deputy Gonzales as unit 214H on the date in question. He heard a radio call of a person-with-a-handgun. Minutes later, he heard emergent radio traffic broadcasting a non-hit, deputy-involved-shooting incident. They drove to the location and arrived within two minutes. He saw two parked patrol cars on the west side of Atlantic Avenue, south of Abbott Road. The patrol cars faced north on Atlantic Avenue in the southbound lane. He saw Deputies Jimenes and Parker detain Suspect Bernal at gunpoint, but could not remember if Suspect Bernal was standing or lying on the sidewalk. He recalled Suspect Bernal was wearing baggy clothing. There was a bicycle on the ground within a foot or two of Suspect Bernal's position. Deputy Galdamez saw Sergeant Rodriquez arrive at the location. Deputy Galdamez did not participate in the arrest of Suspect Bernal. He stood approximately fifteen feet behind the arrest team to provide security. Beside his partner, he could not remember the names of the arrest

team members. At one point, Suspect Bernal was handcuffed without resistance. Deputy Gonzales told him an airsoft gun was found in Suspect Bernal's possession, but Deputy Galdamez did not know where it was found. After Suspect Bernal was detained in Deputy Galdamez' patrol car, he checked the area for witnesses, but found none.

Witness Deputy Kyle Parker

Deputy Kyle Parker, #[redacted] was assigned to unit 212F on the date in question. He was interviewed by OSS Detectives Antonio Guillen #[redacted] and Micah Lopez #[redacted] on July 22, 2017. He also provided his statement to IAB investigators in subsequent interviews. He was represented by Mr. Steven Welch from Rains, Lucia, Stern, St. Phalle & Silver law firm.

On the date of the shooting incident, he assigned himself to the man-with-a-gun call. Deputy Jimenes coordinated the call on the radio and asked him to check the area for the suspect. Deputies Parker and Jimenes later met on Atlantic Avenue, south of Imperial Highway, to discuss a tactical plan in the event they encountered an armed suspect. They talked about maintaining a safe distance for cover before the approach and communicating with each other on the radio. They also discussed the use of less lethal weapons if the need arose. During their planning, they saw two males matching the description given in the call standing by a pay phone in front of Church's Chicken restaurant. One of the males was on foot, and the other one was "on a bicycle." At one point, both males began travelling northbound on Atlantic Avenue. Unable to determine which person was armed with a gun, Deputy Jimenes requested additional information from Century Station's dispatcher. While doing so, they stayed a safe distance of approximately a few hundred yards away from the males. Once it was confirmed that the armed suspect was on a bicycle, the deputies began to follow and close the distance on the bicyclist.

Deputy Parker saw Suspect Bernal cross the street from the east sidewalk to the west sidewalk of Atlantic Avenue. He followed Deputy Jimenes as they drove northbound in the northbound lane of Atlantic Avenue. Once they reached Pendleton Avenue, they drove west and crossed Atlantic Avenue. Now, they were traveling north in the number two lane of southbound Atlantic Avenue. Deputy Parker did not use his overhead lights, spot lights, or headlights because he did not want to silhouette Deputy Jimenes or Deputy Jimenes' patrol car.

Deputies Parker and Jimenes approached Suspect Bernal as Deputy Jimenes yelled, "Stop. Stop the bike. Let me see your hands." It appeared Suspect Bernal heard the given commands, as evidenced by his looking back over his shoulder at the patrol cars. Suspect Bernal did not stop, but maintained a slow pace with his bicycle. Suspect Bernal was approximately 30 feet in front of the deputies when he reached back to his right, rear, pant pocket with his right hand. Believing Suspect Bernal was trying to arm himself, Deputy Parker removed his

firearm from his holster while he was driving behind Deputy Jimenes. Suddenly, Suspect Bernal stopped his bicycle. The abrupt stop forced Deputy Parker to re-holster his gun and stop his car so he would not collide into the backend of Deputy Jimenes' vehicle. Deputy Parker saw Suspect Bernal look over his right shoulder and blade his upper body toward Deputy Jimenes. Suspect Bernal made "aggressive movements" as he repeatedly reached into the front, right side of his waistband in an apparent struggle to pull something out of his pants.

As Deputy Jimenes stood between his patrol car's frame and open driver's door, Deputy Parker saw Deputy Jimenes fire one round from his firearm in the direction of Suspect Bernal. Deputy Parker heard the sound of gunshot and saw the muzzle flash from Deputy Jimenes' gun. Deputy Parker estimated Deputy Jimenes' distance from Suspect Bernal to be 15 to 20 feet when Deputy Jimenes discharged his firearm. Deputy Parker estimated the distance from where they crossed Atlantic Boulevard to follow Suspect Bernal to the shooting scene was about 100 feet.

Deputy Parker heard Deputy Jimenes order Suspect Bernal to show his hands and lie on the ground. Suspect Bernal got off his bicycle and lay flat on his stomach with his arms extended away from his body. Deputy Jimenes requested assistance via his radio, and they waited for additional deputies to arrive.

Once Sergeant Rodriquez and additional deputies arrived, they devised a tactical plan, using a shield to take Suspect Bernal into custody. He saw Deputy Gonzales search Suspect Bernal's person and found a firearm in Suspect Bernal's right, rear pant pocket. Deputy Parker later learned the firearm was a replica handgun. IAB investigators asked Deputy Parker why he did not use the radio to advise the suspect's movements before the shooting occurred. Deputy Parker said he would provide the same information that the dispatcher had already given over the radio (i.e., the suspect was riding his bicycle northbound on Atlantic Avenue). Deputy Parker believed the situation was one of "rapid . . . evolving, intense," and it would not be safe for him to use the radio at the time. Furthermore, he estimated a two or three-second time span from the time of Suspect Bernal's refusal to stop and subsequent repeated reaching movements to the moment Deputy Jimenes discharged his weapon - See map at the end of Deputy Parker's transcript showing 1) the point of contact with Suspect Bernal which is signified by the letter "C," and 2) the route taken by the deputies which is marked with an arrow.

Witness Sergeant Troy Rodriquez

Sergeant Rodriquez was interviewed at Century Station. On the date of the shooting incident, Sergeant Rodriquez was working in the field as unit 212S. He recalled hearing a man-with-a- gun call on the radio. As he drove toward the location of the call, he heard deputies coordinating their responses on the radio and asking for updates concerning Suspect Bernal's actions and whereabouts.

Shortly thereafter, Sergeant Rodriquez heard emergent radio traffic, wherein Deputy Jimenes said something to the fact that "I let one go or I fired one off." He realized it was a deputy-involved-shooting incident once Deputy Jimenes confirmed his status with the dispatcher.

Upon arrival, Sergeant Rodriquez saw Deputies Jimenes and Parker detaining Suspect Bernal at gunpoint. Suspect Bernal was "proned out" on the ground. He waited for additional deputies to arrive. Using a shield and armed with less lethal and lethal weapons, he led the following deputy personnel on the arrest team - Deputies Galdamez, Gonzales, Jimenes, Parker, Quintero and McDonald. They made their approach from approximately fifteen feet from Suspect Bernal's position and took Suspect Bernal into custody without incident.

Sergeant Rodriquez could not recall if he saw the gun being removed from Suspect Bernal's pocket, but remembered seeing "little airsoft B.B.'s falling out" of Suspect Bernal's pocket and onto the ground. Sergeant Rodriquez thought the replica handgun looked like a real handgun.

After Suspect Bernal was taken into custody, Sergeant Rodriquez ensured a crime scene was established, and the deputies searched the area for witnesses. He obtained a safety statement from Deputy Jimenes to determine the approximate trajectory of the fired bullet. Deputy Jimenes indicated he shot one round in a northwesterly direction, toward the rear area of a donut shop on Abbott Road. Sergeant Rodriquez later transported Deputy Jimenes to Century Station, where Deputy Jimenes remained in the watch sergeant's office until he provided his statement to the handling investigators. The shooting incident was later debriefed.

Witness [redacted]

Witness [redacted] was the original informant on the call. He said he went to buy cigarettes at a "7-11" store and saw an acquaintance, [redacted] standing next to another Hispanic male (Suspect Bernal). During this encounter, Witness [redacted] tried to pick up a portable speaker to look at it. Suspect Bernal, who was standing next to the portable speaker, immediately objected and said, "No." Suspect Bernal stood up, reached into his rear waistband, and lifted up his shirt. Witness [redacted] saw a dark object, but he did not know if it was a gun or knife. Witness [redacted] recalled [redacted] stepped in between them and told Suspect Bernal to calm down. An unknown male at the location made hand gestures to Witness [redacted] indicating Suspect Bernal was in possession of a concealed handgun.

> **IAB Note:** IAB investigators were unable to identify the unknown male who was described by Witness [redacted] only as "another old guy."

Witness [redacted] left the location in his car and went across the street to telephone Century Station. Witness [redacted] told the Dispatcher (Deputy Ibarra) about what he experienced at the "7-11" store. He waited for approximately thirty minutes before calling Century Station again because Suspect Bernal just rode off on his bicycle.

He followed Suspect Bernal in his own vehicle as he remained on the phone with Century Station personnel. While waiting in the parking lot of a Walgreens store, he heard the sound of one gunshot. He did not see the shooting because his view was blocked by the McDonald's building. During a field show-up, Witness [redacted] positively identified Suspect Bernal as the person who had threatened him.

> **IAB Note:** Immediately after the deputy involved shooting and on subsequent dates, Century Station deputies, OSS detectives, and IAB investigators attempted to locate [redacted] and other possible witnesses. None was found.

Suspect Roberto Bernal

On July 22, 2017, during an interview with OSS investigators, Suspect Bernal admitted he had a BB gun in his pant pocket, but not in his waistband. He did not threaten anyone with the BB gun nor did he try to assault the deputies. He claimed there were three witnesses at the "7-11" store, who could verify the interaction he had with Witness [redacted] He claimed he was reaching into his pant pocket to dispose the "scante" when one of the deputies shot at him.

> **IAB Note:** "Scante" is a slang Spanish term to describe crystal methamphetamine.

He believed the shooting deputy might have believed he was reaching for a gun, so the deputy "took a crack" at him. He had no intention of "assaulting a cop." When Detective Guillen asked Suspect Bernal if he told the deputies he had a gun, Suspect Bernal replied, ". . . I was like, hey, it's fucking plastic, I went like that, the gun it's plastic."

On July 22, 2017, during an interview with IAB investigators, Suspect Bernal said, "I got shot at and I don't know why." Suspect Bernal was not hit by a bullet nor was he injured. Suspect Bernal was not under the care of a psychiatrist nor was he under the influence of narcotics or alcohol; however, he was withdrawing from methadone. Suspect Bernal refused to talk further with IAB investigators unless they gave him methadone.

Involved Deputy Jesus Jimenes

On July 22, 2017, Deputy Jimenes was interviewed by OSS Detectives Guillen and Lopez. He was represented by Mr. Steven Welch from Rains, Lucia, Stern, St. Phalle & Silver law firm.

According to Deputy Jimenes, he was assigned to handle a man-with-a-gun call on Atlantic Avenue. He arrived at the location and contacted Deputy Parker to formulate a plan of approach. From a distance, he saw two Hispanic males standing near a Church's Chicken restaurant. One of the men was sitting on a bicycle, while the second one was on foot. He received an update from Century Station dispatcher that the male (Suspect Bernal) on the bicycle was the one with a handgun. At one point, Suspect Bernal rode off, crossed the street and went northbound on Atlantic Avenue on the west sidewalk. Deputy Jimenes followed Suspect Bernal and ordered him to stop and show his hands. Suspect Bernal suddenly stopped and "aggressively" reached for his waistband, while looking back at Deputy Jimenes and his partner. Suspect Bernal appeared as if he was pulling something from his waistband in a "motion like he has a weapon." In fear for his safety, he fired one round from his service weapon, but missed. Suspect Bernal surrendered and lay on the ground as instructed. Deputy Jimenes requested help via his radio and remained behind his vehicle until additional deputies arrived. They formed an arrest team and took Suspect Bernal into custody without further incident. He later took custody of the replica handgun from Deputy Gonzales and secured it in the trunk of his patrol car.

On August 2, 2017, Deputy Jimenes provided his first statement to IAB investigators. On May 23, 2018, he also provided statement to clarify some statements made in his previous interviews. He was represented by Mr. Steven Welch from Rains, Lucia, Stern, St. Phalle & Silver law firm.

Deputy Jimenes received a call of a man-with-a-gun call. He coordinated on the radio and requested other units to check the vicinity for the described suspect. Deputy Jimenes also requested for a helicopter unit to his location. Air-24 responded to his request.

According to Deputy Jimenes, he met with Deputy Parker at the corner of Los Flores Boulevard and Atlantic Avenue. They devised a tactical plan in case they encountered a man with a gun. They discussed maintaining a safe distance during the approach, using less lethal weapons, and communicating with other deputies on the radio. Deputy Jimenes also talked about suicide-by-cop scenarios with Deputy Parker.

While formulating their plan, they saw two males matching the description of the suspect standing by each other. Deputy Jimenes indicated the males were standing at a distance of a few hundred yards from them. One male was on foot, and the other male was riding a bicycle. He received a confirmation from the

Century Station's dispatcher that the armed suspect (Suspect Bernal) was riding a bicycle, heading northbound on Atlantic Avenue. Deputy Jimenes saw Suspect Bernal ride across Atlantic Avenue and go onto the west sidewalk, as he continued to ride his bicycle northbound on Atlantic Avenue.

Deputy Jimenes followed Suspect Bernal's path of travel, by driving his patrol car northbound in the number two lane of southbound Atlantic Avenue. He maintained his speed at approximately 25 mph. There was no vehicular traffic during the early morning hours. He believed this was the safest way to approach Suspect Bernal to maintain a position of advantage, use his vehicle as cover, and give him an element of surprise before the bicycle stop. Upon contacting Suspect Bernal, Deputy Jimenes did not turn on his overhead lights, spot lights, or activate the siren.

At a distance of approximately 20 to 30 feet away, Suspect Bernal looked back and appeared to be startled. Suspect Bernal began to pedal faster as Deputy Jimenes called out to him to stop his bicycle through the open driver's window. Suspect Bernal simultaneously reached into his right rear pocket in an apparent attempt to retrieve an unknown item while glancing over his right shoulder to look at Deputy Jimenes.

Deputy Jimenes gave more commands for Suspect Bernal to stop his bike and to stop reaching into his waistband. Suspect Bernal ignored Deputy Jimenes and reached into his right front pocket area. Suspect Bernal pulled his hand out and put something into his mouth. Next, Suspect Bernal "abruptly" stopped his bicycle, planted both feet on the ground, and continued to straddle his bicycle. Suspect Bernal was wearing a big, heavy, baggy jacket. Due to Suspect Bernal's action, Deputy Jimenes reacted by slamming on his brakes, putting his car in park, and opening his car door. While Suspect Bernal looked back at Deputy Jimenes, he bladed the right side of his body, and "violently tugged" on his waistband. Deputy Jimenes tried to exit his vehicle when he heard Suspect Bernal yell, "Gun! Gun!" He believed Suspect Bernal was going to shoot at him or his partner. With one foot on the ground as he tried to exit his vehicle, Deputy Jimenes fired one round at Suspect Bernal through the open driver's window, but missed.

Immediately after the shooting, Suspect Bernal raised his hands and surrendered. Deputy Jimenes reassessed the situation and ordered Suspect Bernal to lie on the ground. Deputy Jimenes used his radio to call for help and advise he was involved in a shooting incident. Deputy Jimenes maintained a "safe" distance from Suspect Bernal while he waited for other deputies to arrive. Upon the arrival of a field sergeant and other deputies, they formed an arrest team, utilized a shield for additional safety, and took Suspect Bernal into custody. Deputy Jimenes saw Deputy Gonzales search Suspect Bernal's clothing and person. Deputy Gonzales recovered what appeared to be a .380 caliber firearm from Suspect Bernal's rear pant pocket. Deputy Gonzales handed the recovered

weapon to Deputy Jimenes. He checked the weapon and discovered it was a pellet gun. Deputy Jimenes secured the pellet gun in the trunk of his patrol car. Deputy Jimenes reported his shooting to Sergeant Rodriquez.

Deputy Jimenes said the backdrop at the moment of his shooting was an empty supermarket parking lot. The local businesses on the north side of the street were closed. Deputy Jimenes estimated the distance from his radio car to the nearest building at the northwest corner of the intersection to be approximately 100 feet - See map at the end of Deputy Jimenes's transcript showing 1) the point of contact with Suspect Bernal which is signified by the letter "C," and 2) the route taken by the deputies which is marked with an arrow.